

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SERGEY LEONTIEV, :
Plaintiff, :
-against- : No. 16-cv-03595 (JSR)
ALEXANDER VARSHAVSKY, :
Defendant. :
-----x

**DECLARATION OF MARSHALL R. KING IN SUPPORT OF
SERGEY LEONTIEV'S APPLICATION FOR COSTS**

I, MARSHALL R. KING, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and before this Court. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, and I am counsel for Plaintiff Sergey Leontiev in the above-captioned matter. I am personally familiar with the facts set forth herein, unless the context indicates otherwise.

2. I make this declaration in support of Sergey Leontiev's Application for Costs pursuant to Rule 54 of the Federal Rules of Civil Procedure, Rule 54.1 of the Local Civil Rules of the Southern District of New York ("Local Rule 54.1"), and 28 U.S.C. § 1920.

3. This matter was brought before the Honorable Jed S. Rakoff in the Southern District of New York at 500 Pearl Street, New York, New York 10007.

4. On March 1, 2017, the Court granted summary judgment in this matter in favor of Plaintiff Sergey Leontiev and issued a declaration that "Sergey Leontiev owes no debt or obligation to defendant Alexander Varshavsky." Accordingly, Plaintiff is the prevailing party

and is entitled to recover costs pursuant to Fed. R. Civ. P. 54(d) and Local Rule 54.1. A true and correct copy of the Final Judgment (Dkt. No. 70) is attached hereto as Exhibit A.

5. Plaintiff incurred taxable costs in this matter of \$32,789.28, as set forth in Sergey Leontiev's March 13, 2017 Bill of Costs, attached hereto as Exhibit B. These costs are correctly stated, are allowable by law, and were necessarily incurred as stated herein. These costs consist of the following components.

6. Plaintiff incurred a cost of \$400.00 for the court filing fee incurred to initiate the above-captioned action. A true and correct copy of the email confirming this payment is attached hereto as Exhibit C.

7. Plaintiff incurred costs of \$23,699.28 for deposition transcripts for the following witnesses: Kamo Avagumyan, Karen Avagumyan, Vadim Kolotnikov, Charles Laurence, Sergey Leontiev, Irina Monakhova, Andrei Pavlovich, Vitaliy Popov, Yulia Semenova, Alexander Shcheglyaev, Alexander Varshavsky, Vadim Voronin, Alexander Zheleznyak, and Irina Zubiy. These costs are recoverable under 28 U.S.C. § 1920 and Local Rule 54.1. True and correct copies of the invoices for these deposition transcripts are attached hereto as Exhibit D.¹

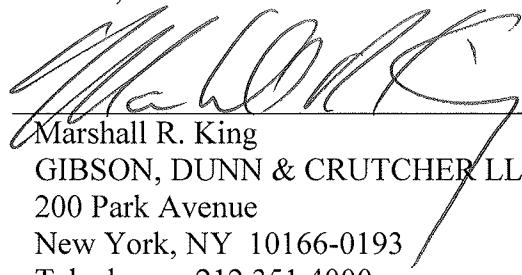
8. Plaintiff incurred costs of \$8,690.00 for interpretation services at depositions for the following witnesses: Kamo Avagumyan, Karen Avagumyan, Irina Monakhova, Andrei Pavlovich, Vitaliy Popov, and Yulia Semenova. See 28 U.S.C. § 1920(6) (allowing recovery of "compensation of interpreters"); Local Civ. R. 54.1(c)(4) (same). True and correct copies of the invoices for these interpretation services are attached hereto as Exhibit E.

9. WHEREFORE, Plaintiff respectfully requests the Clerk issue an order granting Plaintiff costs in the amount of \$32,789.28.

¹ The "Realtime Services" expenses reflected in the invoices included in Exhibit D are excluded from Plaintiff's request for costs.

Executed on this 13th day of March 2017 at New York, New York.

By:


Marshall R. King
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: 212.351.4000
Facsimile: 212.351.4035

Attorney for Plaintiff Sergey Leontiev